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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: J.C.M. Smeekens et al. Attorney Docket No.: ARNO115313
Application No.: 09 534.861 Group Art Unit: 1638
Filed: March 24, 2000 Examiner: D. Fox
Title: PRODUCTION OF OLIGOSACCHARIDES IN TRANSGENIC PLANTS

RESPONSE TO PAPER NO. 13

Seattle, Washington

December 19, 2002

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TECH CENTER 1638 1638

TO THE COMMISSIONER FOR PATENTS:

In response to the Examiner's Action mailed July 1, 2002, please reconsider the above-identified application in view of the following remarks.

Claim 1 is pending in this application. Claim 1 stands rejected. Applicants respectfully request reconsideration and allowance of Claim 1.

Substitute Sequence Listing

The Examiner has indicated that that Sequence Listing is incorrect in that it lists Application Serial No. 09/193,385 as a parent of the instant application. Applicants are submitting herewith a substitute copy of the Sequence Listing, in both paper and computer readable formats, with the corrected continuity data.

Non-Statutory Double Patenting Rejection

Claim 1 has been rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-18 of U.S. Patent No. 6,147,280. U.S. Patent No. 6,147,280 and the present application are presently owned by Stichting Scheikundig Onderzoek in the Netherlands. It is applicants' present intention to file a suitable terminal disclaimer to obviate a double patenting rejection of Claim 1 over U.S. Patent No. 6,147,280.

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